

**FILED**

JUL 31 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT J. ALEXANDER,

Plaintiff,

vs.

CALIFORNIA PRISON ADVOCACY  
PROJECT, et al.,

Defendant.

CASE NO. C 08-2727 MMC (PR)

**PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

I, Robert Alexander, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes \_\_\_ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: N/A Net: N/A

Employer: N/A

1 If the answer is "no," state the date of last employment and the amount of the gross and net  
 2 salary and wages per month which you received. (If you are imprisoned, specify the last  
 3 place of employment prior to imprisonment.)

4 American Automotive Association (AAA)  
 5 Auto Guardian - Oakland, CA October 2007  
 6 Emergency Roadside assistance Field Specialist.

7 2. Have you received, within the past twelve (12) months, any money from any of the  
 8 following sources:

- 9 a. Business, Profession or Yes \_\_\_ No X  
 10 self employment  
 11 b. Income from stocks, bonds, Yes \_\_\_ No X  
 12 or royalties?  
 13 c. Rent payments? Yes \_\_\_ No X  
 14 d. Pensions, annuities, or Yes \_\_\_ No X  
 15 life insurance payments?  
 16 e. Federal or State welfare payments, Yes \_\_\_ No X  
 17 Social Security or other govern-  
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount  
 20 received from each.

21 N/A  
 22

23 3. Are you married? Yes X No \_\_\_

24 Spouse's Full Name: Sevon Atia S

25 Spouse's Place of Employment: APPLEBEES Restaurant

26 Spouse's Monthly Salary, Wages or Income: Maternity leave; 8 months pregnant

27 Gross \$ \_\_\_ Net \$ min. wage

28 4. a. List amount you contribute to your spouse's support: \$ N/A

b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

New born due 8-21-08

5. Do you own or are you buying a home? Yes \_\_\_ No X

Estimated Market Value: \$ N/A Amount of Mortgage: \$ N/A

6. Do you own an automobile? Yes X No \_\_\_

Make Toyota Year 95 Model Camry

Is it financed? Yes \_\_\_ No X If so, Total due: \$ N/A

Monthly Payment: \$ N/A

7. Do you have a bank account? Yes \_\_\_ No X (Do not include account numbers.)

Name(s) and address(es) of bank: N/A

Present balance(s): \$ N/A

Do you own any cash? Yes \_\_\_ No X Amount: \$ N/A

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes \_\_\_ No X

8. What are your monthly expenses?

Rent: \$ \$ 400.00 Utilities: \$ 150.00

Food: \$ 200.00 Clothing: \$ 200.00

Charge Accounts:

| Name of Account  | Monthly Payment | Total Owed on This Acct. |
|------------------|-----------------|--------------------------|
| American Express | \$ 60.00        | \$ 2,200.                |
| American Express | \$ 50.00        | \$ 1500.                 |
|                  | \$              | \$                       |

1 9. Do you have any other debts? (List current obligations, indicating amounts and to  
2 whom they are payable. Do not include account numbers.)

3 Valley Care Hospital; Pleasanton, CA.  
4 \$ 30,000. hand Surgery emergency operation

5 10. Does the complaint which you are seeking to file raise claims that have been presented  
6 in other lawsuits? Yes ☒ No ☐

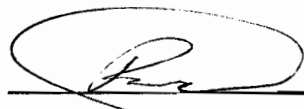
7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in  
8 which they were filed.

9 IN RE ROBERT J. ALEXANDER, III No. C08-2417 MMC (PR)  
10 U.S. DISTRICT COURT Northern District of California

11 I consent to prison officials withdrawing from my trust account and paying to the court  
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and  
14 understand that a false statement herein may result in the dismissal of my claims.

15  
16 7/21/08  
17 DATE

18   
19  
20  
21  
22  
23  
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25  
26  
27  
28  
SIGNATURE OF APPLICANT

Case Number: C08-2727 MMC (PR)

**CERTIFICATE OF FUNDS**

**IN**

**PRISONER'S ACCOUNT**

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Robert Alexander AYC-552 for the last six months  
[prisoner name] AKA. Samuel AYC-552  
Santa Rita County Jail where (s)he is confined.  
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ \_\_\_\_\_ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
[Authorized officer of the institution]

1 UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 **INSTRUCTIONS FOR PRISONER'S**  
4 **IN FORMA PAUPERIS APPLICATION**

5 You must submit to the court a completed Prisoner's In Forma Pauperis Application if  
6 you are unable to pay the entire filing fee at the time you file your complaint or petition. Your  
7 application must include copies of the prisoner trust account statement showing transactions  
8 for the last six months and a certificate of funds in prisoner's account, signed by an authorized  
9 officer of the institution.

10 **A. Non-habeas Civil Actions**

11 Effective April 9, 2006, the filing fee for any civil action other than a habeas is  
12 \$350.00. Even if you are granted leave to proceed in forma pauperis, you must still pay the  
13 full amount of the court's filing fee, but the fee will be paid in several installments. 28 U.S.C.  
14 § 1915.

15 You must pay an initial partial filing fee of 20 percent of the greater of (a) the average  
16 monthly deposits to your account for the 6-month period immediately before the complaint  
17 was filed or (b) the average monthly balance in your account for the 6-month period  
18 immediately before the complaint was filed. The court will use the information provided on  
19 the certificate of funds and the trust account statement to determine the filing fee immediately  
20 due and will send instructions to you and the prison trust account office for payment if in  
21 forma pauperis status is granted.

22 After the initial partial filing fee is paid, your prison's trust account office will forward  
23 to the court each month 20 percent of the most recent month's income to your prison trust  
24 account, to the extent the account balance exceeds ten dollars (\$10.00). Monthly payments  
25 will be required until the full filing fee is paid. If you have no funds over ten dollars (\$10.00)  
26 in your account, you will not be required to pay part of the filing fee that month.

27 **If your application to proceed in forma pauperis is granted, you will be liable for**  
28 **the full \$350.00 filing fee even if your civil action is dismissed. That means the court will**  
**continue to collect payments until the entire filing fee is paid. However, if you do not**  
**submit this completed application the action will be dismissed without prejudice and the**  
**filing fee will not be collected.**

**B. Habeas Actions**

The filing fee for a habeas action is \$5.00. If you are granted leave to proceed in  
you will not be required to pay any portion of this fee. If you are not granted  
leave to proceed in forma pauperis you must pay the fee in one payment and not in  
installments. **If you use a habeas form to file a non-habeas civil action, you will be**  
**required to pay the \$350.00 filing fee applicable to all non-habeas civil actions.**

plaintiff to file a complaint. I am unable to provide  
 art with sworn declaration as to why he is unable to do so.  
 July 21<sup>st</sup> I the plaintiff in this ~~No. 08-2987-MMC~~  
~~No. 08-2727-MMC (PR)~~  
 civil action. Received the Service of Such Civil legal  
 mail. Upon the receiving of the order I immediately began  
 to as ordered by the Court. The Regular assigned house  
 duties have not been forthcoming in making this possible.

July 21<sup>st</sup> 2008 I asked Deputy T. Jenniahn #1975, to assist  
 me in this due to the fact that he was the very same  
 deputy who confiscated my pens, and tampered my cell  
 using no regard for my legal work. He was the Deputy  
 who opened my legal mail on the 21<sup>st</sup> and kept the envelope.  
 That evening I ask Deputy Carrera to assist also showed  
 the Court order. He disregarded my request to speak  
 the Sgt.

July 22<sup>nd</sup> I asked Deputy's T. Jenniahn and his new partner  
 again. This time after his partner read the Court order  
 they insisted that their Superior's instructed them  
 not to sign anything. Also to tell me that whenever I go  
 Court in this matter it will automatically follow.  
 After I will have to wait until the U.S. District Court  
 summons my person to Court. That evening after shift  
 change I asked Deputy Carrera again to assist me in  
 this issue, only to be ignored as if I am not in his presence  
 down at time I asked him again. He ignored me again.

July 23<sup>rd</sup> 0400 hrs Deputy Carrera opened my cell door and  
 ordered that I go to the multipurpose room and wait till  
 2000 hrs for Deputy Guffy to come on shift to ask him.  
 So stating I have court. I did not have court I  
 told him and insisted to see the Sgt. He threatened to  
 go back with 8-10 Deputies and use physical force  
 "Show me who's in charge". I stayed in my cell seated  
 on bed. He then showed me the door and left.

released our room in the morning near. I asked Deputy Guffy  
 if a grievance and he refused to give me a grievance  
 my neighboring cell inmate asked for a grievance form  
 also. He too was denied. According to Deputy Guffy  
 we do not have a right to a grievance form. And  
 he does not have to give us one I tried again  
 with a message request form. Deputy Guffy threw  
 it away. I also tried giving grievances to Deputy  
 Herrera. But he will not accept them. When I push the  
 intercom button the female Bldg #3 Housing  
 Unit Technician will not answer. As long as Deputy  
 Guffy works he will not let us out for pod rec  
 me and will no longer make himself accessible  
 receive any further request. When I ask to use  
 a pro-per typewriter the refuse me access. Along  
 with the pro-per phone, law library, legal materials, copies,  
 According to these Deputy's, we as inmates do not  
 do anything coming. I was unaware of any change  
 the federal law governing legal pursuits. At this time  
 am forced to use pencil and drawing tablet paper  
 my legal work. They have taken my visiting away,  
 recreation away, pod time recreation, pens legal references,  
 They turned up the cold air and left me with  
 a thin blanket. Now I am going to pursue further  
 action. This is to be considered retaliatory measures  
 in the Alameda County Sheriff's Office Detentions &  
 Correction Division, obstructing Justice.  
 I, S. my Declaration, Sworn. I hereby swear under penalty of  
 perjury that the foregoing is true and correct, to the best  
 of my knowledge of the facts governing this action, on this day  
 24th of the year 2008. At Dublin, CA. 93568 Robert J. Alexander

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NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND



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*Handwritten signature*

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